

In the claims: Please change the claims as indicated.

1. (Currently amended) A method for use by a user equipment—UE—device—(11) and Node Bs—(10 10') of a wireless telecommunication system, the method for enabling Node B based control during soft handover of the maximum data rate allowed for uplink by the—UE user equipment device—(11) as indicated by a pointer—(11a) in the UE user equipment device—(11), the soft handover resulting in a change of a controlling Node B from a first one—(10) of the Node Bs—(10 10') to a second one—(10') of the Node Bs—(10 10'), each of the Node Bs—(10 10') for providing commands for control of—UE user equipment devices in at least one respective cell so that the—UE user equipment device—(11) in soft handover is simultaneously in at least two cells each possibly controlled by a different one of the Node Bs—(10 10'), the method—characterized by comprising:

~~a step (22) in which the UE user equipment device (11) signals signaling in uplink information indicating one of the cells as a scheduling cell;~~

~~a step (23) in which each Node B—(10 10') receiving the uplink indicating one of the cells as the scheduling cell and able to provide scheduling commands determines and determining whether it is in control of the scheduling cell, and issues issuing scheduling commands for controlling the pointer—(11a) in the—UE user equipment device—(11) if it is in control, but issues issuing no such commands if it determines it is not in control of the scheduling cell.~~

2. (Currently amended) The method of claim 1, further characterized by comprising:

~~a step (24) in which the UE user equipment device (11) and also the Node B—(10 10') in control of the scheduling cell each synchronizing synchronize a respective pointer—(11a 10a 10a') for indicating the maximum allowed uplink data rate for the—UE user~~

equipment device-(11) to a value according to a synchronization procedure.

3. (Currently amended) The method of claim 2, ~~further characterized in that~~ wherein according to the synchronization procedure, the Node B-(10-10') sets the pointer-(10a-10a') it maintains to the data rate used in the uplink of the information indicating the scheduling cell.

4. (Currently amended) The method of claim 2, ~~further characterized in that~~ wherein according to the synchronization procedure, the Node B-(10-10') sets the pointer-(10a-10a') it maintains to a predetermined value.

5. (Currently amended) The method of claim 2, ~~further characterized in that~~ wherein according to the synchronization procedure, both the Node B-(10-10') and the-~~UE~~ user equipment device-(11) set their respective pointers-(10a-10a'-11a) according to predetermined criteria.

6. (Currently amended) The method of claim 2, ~~further characterized in that~~ wherein according to the synchronization procedure, the Node B-(10-10') sets the pointer-(10a-10a') it maintains to a value it selects and explicitly signals the value to the-~~UE~~ user equipment device-(11).

7. (Currently amended) The method of claim 2, ~~further characterized in that~~ wherein according to the synchronization procedure, the Node B-(10-10') sets the pointer-(10a-10a') it maintains to the data rate used in the uplink of the information indicating the scheduling cell or to a predetermined value, whichever is greater.

8. (Original) The method of claim 1, wherein the Node B based control is provided using differential signaling.

9. (Original) The method of claim 1, wherein the Node B based control is provided using explicit signaling.

10. (Currently amended) A-UE user equipment device-(11), comprising:

means for wirelessly communicating with Node Bs of a radio access network in a wireless communication system;

a pointer-(11a) for indicating a maximum allowed rate of uplink to the wireless communication system; and

means for adjusting the pointer responsive to scheduling commands received from a Node B-(10-10') controlling a cell in which the UE user equipment device-(11) is located; and

~~the UE device (11) characterized in that it comprises:~~

means for uplinking information indicating as a scheduling cell a particular cell from among a plurality of cells involved in a soft handover, each cell possibly controlled by a different Node B-(10-10').

11. (Currently amended) A-UE user equipment device-(11) as in claim 10, ~~further characterized in that wherein the UE user equipment device~~-(11) comprises:

means for selecting as a scheduling cell a particular cell from among a plurality of cells involved in a soft handover.

12. (Currently amended) A-UE user equipment device-(11) as in claim 10, ~~further characterized in that wherein the UE user equipment device~~-(11) comprises:

means for determining whether scheduling commands are sent by the Node B controlling the scheduling cell and for disregarding all scheduling commands sent by other than the Node B controlling the scheduling cell.

13. (Currently amended) A-UE user equipment device-(11) as in claim 10, ~~further characterized in that wherein the UE user equipment device-(11) further comprises:~~

means for synchronizing the pointer-(11a) to a corresponding pointer-(10a) in the Node B-(10) controlling the scheduling cell.

14. (Currently amended) A-UE user equipment device-(11) as in claim 13, ~~further characterized in that wherein for synchronization, the UE user equipment device-(11) sets the pointer-(11a) it maintains to the data rate used in the uplink of the information indicating the scheduling cell.~~

15. (Currently amended) A-UE user equipment device-(11) as in claim 13, ~~further characterized in that wherein for synchronization, the UE user equipment device-(11) sets the pointer-(11a) it maintains to a predetermined value.~~

16. (Currently amended) A-UE user equipment device-(11) as in claim 13, ~~further characterized in that wherein for synchronization, the UE user equipment device-(11) sets the pointer-(11a) it maintains according to predetermined criteria.~~

17. (Currently amended) A-UE user equipment device-(11) as in claim 13, ~~further characterized in that wherein for synchronization, the UE user equipment device-(11) sets the pointer-(11a) it maintains to a value explicitly signalled by the Node B-(10 10').~~

18. (Currently amended) A-UE user equipment device-(11) as in claim 13, ~~further characterized in that wherein for synchronization, the UE user equipment device-(11) sets the pointer-(11a) it maintains to the data rate used in the uplink of the information indicating the scheduling cell or to a predetermined value, whichever is greater.~~

19. (Currently amended) A Node B-(10-10') comprising:

      -means for wirelessly communicating with a user equipment (UE) device-(11) as an element of a radio access network of a wireless communication system, characterized in that it comprises:; and

means for determining when to assume control of scheduling of the UE user equipment device-(11) and when to cease control of scheduling of the UE user equipment device-(11) based on information uplinked by the UE user equipment device-(11) indicating as a scheduling cell a particular cell from among a plurality of cells involved in a soft handover.

20. (Currently amended) The Node B-(10-10') of claim 19, further comprising:

      -a pointer-(10a-10a') it maintains indicating a maximum allowed rate of uplink by the UE user equipment device-(11), and further characterized in that it comprises:; and

means-(24) by which the Node B-(10-10') synchronizes to the pointer-(11a) in the UE user equipment device-(11) athe pointer-(10a-10a') it maintains for indicating the maximum allowed uplink data rate for the UE user equipment device-(11).

21. (Currently amended) The Node B-(10-10') of claim 20, further characterized in that wherein for synchronization, the Node B-(10-10') sets the pointer-(10a-10a') it maintains to the data rate used in the uplink of the information indicating the scheduling cell.

22. (Currently amended) The Node B-(10-10') of claim 20, further characterized in that wherein for synchronization, the Node B-(10-10') sets the pointer-(10a-10a') it maintains to a predetermined value.

23. (Currently amended) The Node B-(10-10') of claim 20, ~~further characterized in that wherein~~ for synchronization, the Node B-(10-10') sets its pointer (10a-10a') according to predetermined criteria.

24. (Currently amended) The Node B-(10-10') of claim 20, ~~further characterized in that wherein~~ for synchronization, the Node B-(10-10') sets the pointer (10a-10a') it maintains to a value it selects and explicitly signals the value to the ~~UE~~ user equipment device (11).

25. (Currently amended) The Node B-(10-10') of claim 20, ~~further characterized in that wherein~~ for synchronization, the Node B-(10-10') sets the pointer (10a-10a') it maintains to the data rate used in the uplink of the information indicating the scheduling cell or to a predetermined value, whichever is greater.

26. (Currently amended) A system, comprising a plurality of ~~UE~~ user equipment devices (11) and a plurality of Node Bs-(10-10'), ~~characterized in that wherein~~ the ~~UE~~ user equipment device (11) is as recited in claim 10.

27. (Currently amended) A system, comprising a plurality of ~~UE~~ user equipment devices (11) and a plurality of Node Bs-(10-10'), ~~characterized in that wherein~~ at least two of the Node Bs-(10-10') are as recited in claim 19.

28. (Currently amended) A computer program product comprising: a computer readable storage structure embodying computer program code thereon for execution by a computer processor in a ~~UE~~ user equipment device (11), ~~with wherein~~ said computer program code ~~characterized in that~~ it includes instructions for executing the steps recited in claim 1 as executed by a ~~UE~~ user equipment device (11).

29. (Currently amended) A computer program product comprising: a computer readable storage structure embodying computer program code thereon for execution by a computer processor in a Node B-(10 10'), ~~with wherein said computer program code characterized in that it includes instructions for executing the steps recited in claim 1 as executed by a Node B-(10 10')~~.

30. (New) An apparatus for use by a user equipment device, comprising:

a pointer for indicating a maximum allowed rate of uplink to a Node B of a wireless communication system controlling a cell in which the user equipment device is located;

means for adjusting the pointer in response to scheduling commands received from the Node B; and

means for uplinking information indicating as a scheduling cell either the cell controlled by the Node B or a cell controlled by another Node B to which the user equipment is being handed over in soft handover.

31. (New) An apparatus for use by a Node B of a wireless communication system, comprising:

a pointer for indicating a maximum allowed rate of uplink to the Node B by a user equipment device located in a cell controlled by the Node B;

means for providing scheduling commands to the user equipment device for adjusting a corresponding pointer in the user equipment device; and

means for determining whether to provide the scheduling commands based on information uplinked by the user equipment device indicating as a scheduling cell either the cell controlled by the Node B or a cell controlled by another Node B to which or

from which the user equipment is being handed over in soft handover.

32. (New) An apparatus for use by a user equipment device, comprising:

    a pointer for indicating a maximum allowed rate of uplink to a Node B of a wireless communication system controlling a cell in which the user equipment device is located; and

    a processor, configured to:

        adjust the pointer in response to scheduling commands received from the Node B; and

        uplink information indicating as a scheduling cell either the cell controlled by the Node B or a cell controlled by another Node B to which the user equipment is being handed over in soft handover.

33. (New) A user equipment device as in claim 32, wherein the processor is further configured to:

    select as a scheduling cell a particular cell from among a plurality of cells involved in a soft handover.

34. (New) A user equipment device as in claim 32, wherein the processor is further configured to:

    determine whether scheduling commands are sent by the Node B controlling the scheduling cell and to disregard all scheduling commands sent by other than the Node B controlling the scheduling cell.

35. (New) An apparatus for use by a Node B of a wireless communication system, comprising:

a pointer for indicating a maximum allowed rate of uplink to the Node B by a user equipment device located in a cell controlled by the Node B;

a processor, configured to:

provide scheduling commands to the user equipment device for adjusting a corresponding pointer in the user equipment device; and

determine whether to provide the scheduling commands based on information uplinked by the user equipment device indicating as a scheduling cell either the cell controlled by the Node B or a cell controlled by another Node B to which or from which the user equipment is being handed over in soft handover.

36. (New) An apparatus as in claim 35, wherein the processor is further configured to:

synchronize to the corresponding pointer in the user equipment device the pointer in the Node B.

37. (New) An apparatus as in claim 36, wherein the processor is further configured so that for synchronization, the pointer in the Node B is set to the data rate used in the uplink of the information indicating the scheduling cell.